



November 16, 2022

**Via ECF**

Hon. Paul G. Gardephe  
United States District Court Judge  
Southern District of New York  
40 Foley Square, Room 2204  
New York, NY 10007

Re: *Prince Davis v. Crothall Healthcare, Inc. et al.*  
Docket No: 1:22-cv-07196 (PGG)

Dear Judge Gardephe:

This firm represents the Plaintiff in the above-referenced matter. We write jointly with Defendants pursuant to Rule 1.D of Your Honor's Individual Rules of Practice, to respectfully request that Your Honor adjourn the initial conference currently scheduled for December 8, 2022.

On November 1, 2022, Your Honor granted the Parties initial request and rescheduled the initial pretrial conference for December 8, 2022 (Dkt. 13). Unfortunately, the undersigned is unavailable on that date. Furthermore, after rescheduling the initial pretrial conference, Defendants filed a letter motion seeking leave to file a motion to compel arbitration. Therefore, the Parties respectfully requests that Your Honor adjourn the initial conference until after the Parties complete any anticipated motion practice and respond to the Complaint.

We appreciate the Court's assistance with this matter.

**MEMO ENDORSED: The conference scheduled for December 8, 2022 is adjourned sine die. Defendants request to file a motion to dismiss and compel arbitration (Dkt. No. 14) is granted. The briefing schedule for Defendant's motion is as follows: Defendant's motion is due December 20, 2022; Plaintiff's opposition due January 10, 2022; Defendant's reply is due January 17, 2023.**

SO ORDERED.

A handwritten signature in black ink that reads 'Paul G. Gardephe'.

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Paul G. Gardephe  
United States District Judge  
Date: November 29, 2022

Respectfully Submitted,  
**DEREK SMITH LAW GROUP, PLLC**

/s/ Daniel Altaras  
Daniel J. Altaras, Esq.